

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARRIS JAVIER,

Petitioner,

— against —

UNITED STATES OF AMERICA,

Respondent.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8-26-08

08 Civ. 7025 (VM)

**ORDER**

**VICTOR MARRERO, United States District Judge.**

The Court having examined the petition for a writ of habeas corpus filed in this action pursuant to 28 U.S.C. § 2255, and having determined that the petition should not be summarily dismissed, it is hereby

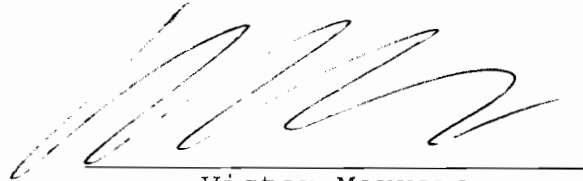
**ORDERED** that the Government file a response to the petition by no later than October 17, 2008; and it is further

**ORDERED** that petitioner Harris Javier reply to the Government's response by no later than November 21, 2008; and it is finally

**ORDERED** that the Clerk of Court serve copies of this Order and of the petition by certified mail upon the Petitioner and the United States Attorney for the Southern District of New York.

SO ORDERED.

Dated: New York, New York  
26 August 2008

  
\_\_\_\_\_  
Victor Marrero  
U.S.D.J.

Mailed To:  
Harris Javier - Reg. # 57277-054  
FCI Loretto  
P.O. Box 1000 Loretto, PA 15940  
PRO SE